

### **REMARKS**

In response to the action of November 17, 2009, applicants ask that all claims be allowed in view of the following remarks. Claims 36-51, 53, 57, and 59-65 are currently pending, of which claims 36, 57, and 59 are independent. Claims 61-65 have been added.

### **Interview Summary**

Applicants' undersigned representative thanks Examiner Borissov for the courtesies afforded during the interview conducted on January 12, 2010. During the interview, Examiner Borissov and applicants' representative discussed the proper prior art date for the subject matter of Jinnett (U.S. Publication No. 2002/012047) relied upon in the rejection of independent claims 36, 57, and 59. Examiner Borissov agreed that the proper prior art date for the subject matter of Jinnett relied upon in the rejection of independent claims 36, 57, and 59 is February 7, 2002, which is after the December 20, 2001 filing date of the present application. Examiner Borissov indicated that the § 103 rejection of independent claims 36, 57, and 59 would be withdrawn and that a new action would be mailed. Because a new action is needed, Examiner Borissov agreed to enter and consider new claims presented in a response that addresses the deficiencies of Jinnett noted above, even though the present Office Action is a final Office Action. This reply reflects the substance of the interview.

### **§ 103 Rejections**

Claims 36-46, 53, 57, 59, and 60 have been rejected as being unpatentable over O'Brien (Computers in Business Management) in view of Gharavy (U.S. Patent Application Pub. No. 2003/0004840) and Jinnett and claims 47-51 have been rejected as being unpatentable over O'Brien in view of Gharavy, Jinnett, and Al Senia (The Internet Forefront). Applicants traverse these rejections because the subject matter of Jinnett relied upon in the rejection of independent claims 36, 57, and 59 is not prior art with respect to independent claims 36, 57, and 59.

Specifically, as discussed in the interview of January 12, 2010, the only portion of Jinnett referenced in the rejection of independent claims 36, 57, and 59 is paragraph [0016]. However, this paragraph and its subject matter is not present in the provisional application from which Jinnett claims priority. Because the subject matter of Jinnett relied upon in the rejection of

independent claims 36, 57, and 59 is not found in the provisional application from which Jinnett claims priority, the subject matter is entitled to a prior art date of February 7, 2002, the filing date of the Jinnett utility patent application. The present application was filed on December 20, 2001, which predates the February 7, 2002 prior art date of the subject matter of Jinnett relied upon in the rejection of independent claims 36, 57, and 59. Accordingly, applicants submit the subject matter of Jinnett relied upon in the rejection of independent claims 36, 57, and 59 is not prior art with respect to the present application. Notably, during the interview of January 12, 2010, Examiner Borissov agreed that the proper prior art date for the subject matter of Jinnett relied upon in the rejection of independent claims 36, 57, and 59 is February 7, 2002 and that the § 103 rejections of 36, 57, and 59 would be withdrawn. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of independent claims 36, 57, and 59 and their dependent claims.

#### **New Claims**

New claims 61-65 each depend from independent claim 36. At least for the reason of that dependency and the reasons noted above with respect to independent claim 36, applicants submit that claims 61-65 are allowable. Because each claim is deemed to define additional aspects of the disclosure, however, the individual consideration of each claim on its own merits is respectfully requested.

#### **Conclusion**

All of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply.

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Applicants submit that all claims are in condition for allowance. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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